



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2016 DEC -6 PM 4:46

December 6, 2016

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *SWH/fn*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser/Ben Holly *KDR B.H.*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2016 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2016 October Quarterly Report (Non-Election Sensitive) in accordance with 52 U.S.C. § 30104(a). The October Quarterly Report was due on October 15, 2016.

The committees listed in the attached RTB Circulation Report either failed to file the report or filed the report : no more than thirty (30) days after the due date (considered a late filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

Federal Election Commission
Reason to Believe Circulation Report
2016 OCTOBER QUARTERLY Not Election Sensitive 10/15/2016 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3164	C00554253	CLAITOR FOR CONGRESS	DANIEL A. CLAITOR	CHELSEA BONNECAZE	\$120,518	5		Not Filed	\$120,518 (est)	\$13,839
3165	C00613786	COWAN FOR CONGRESS, INC.	DANIEL COWAN	LEIGH ANN GILLIS	\$684,828	0		Not Filed	\$342,414 (est)	\$10,935
3166	C00612929	ERIN FOR US	ERIN AZARIA SCHRODE	JASON TERAMOTO	\$117,363	0		Not Filed	\$39,121 (est)	\$1,157
3167	C00606970	EUGENE FOR CONGRESS	EUGENE YU	ERIC YU	\$110,841	0		Not Filed	\$36,947 (est)	\$1,157
3168	C00254441	FATTAH FOR CONGRESS	CHAKA FATTAH	ROGER J. JACKSON, JR.	\$450,822	0		Not Filed	\$75,137 (est)	\$4,784
3169	C00593103	FRAZIER FOR COLORADO, INC.	RYAN LAVAR FRAZIER	TRAVIS MARTINEZ	\$837,702	0		Not Filed	\$209,426 (est)	\$8,885
3170	C00272732	FRIENDS OF CORRINE BROWN	CORRINE BROWN	GLORIA SIMMONS	\$1,113,322	0	10/26/2016	11	\$162,191	\$3,349
3172	C00550004	FRIENDS OF WARREN CHRISTOPHER	WARREN CHRISTOPHER	LETICIA CARROLL SMITH	\$370,756	0		Not Filed	\$61,793 (est)	\$3,691
3173	C00594150	JAMES MALONEY FOR CONGRESS	JAMES MALONEY	ILDI ERVIN	\$118,506	0		Not Filed	\$39,502 (est)	\$1,157
3174	C00600858	MARIA FOR AMERICA 2016	MARIA L. ESPINOZA	TIMOTHY J. LYNG	\$175,587	1		Not Filed	\$43,897 (est)	\$1,446
3175	C00603282	MIRZA FOR CONGRESS	ALI A. MIRZA	TARA MARIE BARBERA	\$113,205	0		Not Filed	\$37,735 (est)	\$1,157
3176	C00302422	RANGEL FOR CONGRESS	CHARLES B. RANGEL	DAVID A. PATERSON	\$301,124	0		Not Filed	\$50,187 (est)	\$3,691
3177	C00577882	VOGT FOR MARYLAND	DAVID E. VOGT III	DAVID VOGT	\$130,941	1		Not Filed	\$26,188 (est)	\$1,446
3178	C00612457	VOTE JERRY NATIVIDAD FOR US SENATE	JERRY NATIVIDAD	VERA ORTEGON LAVON	\$333,527	0	10/25/2016	10	\$15,019	\$197
3179	C00608083	WILDER FOR SENATE	SELLUS WILDER	RACHELLE CHATTIN	\$128,145	0		Not Filed	\$42,715 (est)	\$1,157

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Reason To Believe Recommendation –)
2016 October Quarterly Report (Non-)
Election Sensitive) for the Administrative)
Fine Program:)

CLAITOR FOR CONGRESS, and) AF# 3164
CHELSEA BONNECAZE as treasurer;)
COWAN FOR CONGRESS, INC., and) AF# 3165
GILLIS, LEIGH ANN as treasurer;)
ERIN FOR US, and TERAMOTO, JASON) AF# 3166
as treasurer;)
EUGENE FOR CONGRESS, and YU,) AF# 3167
ERIC MR. as treasurer;)
FATTAH FOR CONGRESS, and) AF# 3168
JACKSON, ROGER J MR JR as treasurer;)
FRAZIER FOR COLORADO INC, and) AF# 3169
TRAVIS MARTINEZ as treasurer;)
FRIENDS OF CORRINE BROWN, and) AF# 3170
SIMMONS, GLORIA as treasurer;)

FRIENDS OF WARREN CHRISTOPHER,) AF# 3172
and SMITH, LETICIA CARROLL ESQ as)
treasurer;)
JAMES MALONEY FOR CONGRESS,) AF# 3173
and ERVIN, ILDI as treasurer;)
MARIA FOR AMERICA 2016, and) AF# 3174
TIMOTHY J LYNG as treasurer;)
MIRZA FOR CONGRESS, and) AF# 3175
BARBERA, TARA MARIE as treasurer;)
RANGEL FOR CONGRESS, and) AF# 3176
PATERSON, DAVID A as treasurer;)
VOGT FOR MARYLAND, and VOGT,) AF# 3177
DAVID as treasurer;)
VOTE JERRY NATIVIDAD FOR US) AF# 3178
SENATE, and VERA ORTEGON as)
treasurer;)
WILDER FOR SENATE, and LAVON) AF# 3179
RACHELLE CHATTIN as treasurer;)

CERTIFICATION

I, Dayna C. Brown, Acting Secretary and Clerk of the Federal Election

Commission, do hereby certify that on December 09, 2016 the Commission took the following actions on the Reason To Believe Recommendation – 2016 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated December 06, 2016, on the following committees:

AF#3164 Decided by a vote of 6-0 to: (1) find reason to believe that CLAITOR FOR CONGRESS, and CHELSEA BONNECAZE in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3165 Decided by a vote of 6-0 to: (1) find reason to believe that COWAN FOR CONGRESS, INC., and GILLIS, LEIGH ANN in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3166 Decided by a vote of 6-0 to: (1) find reason to believe that ERIN FOR US, and TERAMOTO, JASON in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3167 Decided by a vote of 6-0 to: (1) find reason to believe that EUGENE FOR CONGRESS, and YU, ERIC MR. in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3168 Decided by a vote of 6-0 to: (1) find reason to believe that FATTAH FOR CONGRESS, and JACKSON, ROGER J MR JR in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3169 Decided by a vote of 6-0 to: (1) find reason to believe that FRAZIER FOR COLORADO INC, and TRAVIS MARTINEZ in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3170 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF CORRINE BROWN, and SIMMONS, GLORIA in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3172 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF WARREN CHRISTOPHER, and SMITH, LETICIA CARROLL ESQ in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3173 Decided by a vote of 6-0 to: (1) find reason to believe that JAMES MALONEY FOR CONGRESS, and ERVIN, ILDI in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3174 Decided by a vote of 6-0 to: (1) find reason to believe that MARIA FOR AMERICA 2016, and TIMOTHY J LYNG in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3175 Decided by a vote of 6-0 to: (1) find reason to believe that MIRZA FOR CONGRESS, and BARBERA, TARA MARIE in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3176 Decided by a vote of 6-0 to: (1) find reason to believe that RANGEL FOR CONGRESS, and PATERSON, DAVID A in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3177 Decided by a vote of 6-0 to: (1) find reason to believe that VOGT FOR MARYLAND, and VOGT, DAVID his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3178 Decided by a vote of 6-0 to: (1) find reason to believe that VOTE JERRY NATIVIDAD FOR US SENATE, and VERA ORTEGON in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.


Federal Election Commission
Certification for Administrative Fines
December 09, 2016

Page 5

AF#3179 Decided by a vote of 6-0 to: (1) find reason to believe that WILDER FOR SENATE, and LAVON RACHELLE CHATTIN in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

December 9, 2016
Date


Dayna C. Brown
Acting Secretary and Clerk of the
Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 9, 2016

Ildi Ervin, in official capacity as Treasurer
James Maloney for Congress
919 E. White Mountain Blvd.
Pinetop, AZ 85935

C00594150

AF#: 3173

Dear Ildi Ervin:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period July 1, 2016 through September 30, 2016, shall be filed no later than October 15, 2016. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date, the report is considered not filed for the purpose of calculating the civil money penalty. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On December 9, 2016, the FEC found that there is reason to believe ("RTB") that James Maloney for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before October 15, 2016. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$1,157. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$1,157 is due within forty (40) days of the finding, or by January 18, 2017, and is based on these factors:

Sensitivity of Report: Not Election Sensitive
Level of Activity: \$39,502
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

41. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street,

NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or January 18, 2017. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that James Maloney for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

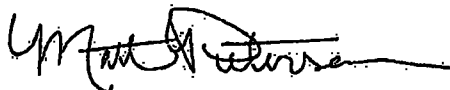
5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including making a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Aimee Wechsler in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen
Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$1,157 for the 2016 October Quarterly Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: James Maloney for Congress

FEC ID#: C00594150

AF#: 3173

PAYMENT DUE DATE: January 18, 2017

PAYMENT AMOUNT DUE: \$1,157



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
MAY 10 2017

2017 MAY 10 PM 1:40

May 10, 2017

SENSITIVE

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: *BH for KDR*
Kristin D. Roser/Ben Holly *BH*
Reports Analysis Division
Compliance Branch

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the
2016 October Quarterly Report (Non-Election Sensitive)

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2016 October Quarterly Report (Non-Election Sensitive). The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, nine (9) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. An overview of these cases has been provided below.

Cowan for Congress (AF 3165) filed a Termination Report after the RTB finding and disclosed a level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements estimated to be \$61,233 (previously estimated to be \$342,414), thus the fine would be lowered from \$10,935 to \$4,613.

Erin for Us (AF 3166) disclosed no activity after the RTB finding (previously estimated to be \$39,121), which would result in no civil money penalty (fine previously assessed to be \$1,157).

Fattah for Congress (AF 3168) disclosed no activity after the RTB finding (previously estimated to be \$75,137), which would result in no civil money penalty (fine previously assessed to be \$4,784).

Friends of Warren Christopher (AF 3172) disclosed no activity after the RTB finding (previously estimated to be \$61,793), which would result in no civil money penalty (fine previously assessed to be \$3,691).

Maria for America 2016 (AF 3174) disclosed no activity after the RTB finding (previously estimated to be \$43,897), which would result in no civil money penalty (fine previously assessed to be \$1,446).

Mirza for Congress (AF 3175) filed the 2016 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$44 (previously estimated to be \$37,735), thus the fine would be lowered from \$1,157 to \$44.

Rangel for Congress (AF 3176) filed the 2016 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$18,441 (previously estimated to be \$50,187), thus the fine would be lowered from \$3,691 to \$643.

Vogt for Maryland (AF 3177) disclosed no activity after the RTB finding (previously estimated to be \$26,188), which would result in no civil money penalty (fine previously assessed to be \$1,446).

Wilder for Senate (AF 3179) disclosed no activity after the RTB finding (previously estimated to be \$42,715), which would result in no civil money penalty (fine previously assessed to be \$1,157).

- Fattah for Congress (AF 3168) filed an Amended Statement of Organization after the RTB finding designating Chaka Fattah as Treasurer.

RAD Recommendation

- (1) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports violated 52 U.S.C. § 30104(a) and assess the final civil money penalties so indicated.
- (2) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports with no activity, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty.
- (3) Send the appropriate letters.

2043-1-1001-1

WEDNESDAY

9/10/2017 10:38 AM

Federal Election Commission
FD Circulation Report Fine Paid
2016 OCTOBER QUARTERLY Not Election Sensitive 10/15/2016 H_S_P_UNAUTH

AP#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
3170	FRIENDS OF CORRINE BROWN	CORRINE BROWN	C00272732	GLORIA SIMMONS	10/28/2016	11	\$182,191	0	12/09/2016	\$3,349	\$3,349	01/19/2017	\$3,349

Federal Election Commission
FD Circulation Report Fine Not Paid
2016 OCTOBER QUARTERLY Not Election Sensitive 10/15/2016 H_S_P_UNAULTH

AP#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
3164	CLAITOR FOR CONGRESS	DANIEL A. CLAITOR	C00554253	CHELSEA BONNECAZE		Not Filed	\$120,878 (est)	0	12/09/2016	\$13,839	152	\$13,839
3165	COWAN FOR CONGRESS, INC.	DANIEL COWAN	C00813786	LEIGH ANN GILLIS	03/06/2017	Not Filed	\$61,233 (est)	1	12/08/2016	\$10,995	152	\$4,618
3166	ERIN FOR US	ERIN AZARIA SCHRODIE	C00812929	JASON TERAMOTO	12/10/2016	Not Filed	\$0	1	12/09/2016	\$1,157	152	NONE
3167	EUGENE FOR CONGRESS	EUGENE YU	C00806970	ERIC YU		Not Filed	\$38,947 (est)	0	12/08/2016	\$1,157	152	\$1,157
3168	FATTAH FOR CONGRESS	CHAKA FATTAH	C00254441	CHAKA FATTAH		Not Filed	\$0	0	12/08/2016	\$4,784	152	NONE
3172	FRIENDS OF WARREN CHRISTOPHER	WARREN CHRISTOPHER	C00550004	LETICIA CARROLL SMITH		Not Filed	\$0	0	12/08/2016	\$3,691	152	NONE
3173	JAMES MALONEY FOR CONGRESS	JAMES MALONEY	C00594160	ILDI ERVIN	02/08/2017	Not Filed	\$55,244	0	12/09/2016	\$1,157	152	\$1,157
3174	MARIA FOR AMERICA 2016	MARIA L. ESPINOZA	C00800868	TIMOTHY J. LYNG	12/21/2016	Not Filed	\$0	1	12/09/2016	\$1,446	152	NONE
3175	MIRZA FOR CONGRESS	ALI A. MIRZA	C00603282	TARA MARIE BARBERA	02/21/2017	Not Filed	\$44	0	12/08/2016	\$1,157	152	\$44
3176	RANGEL FOR CONGRESS	CHARLES B. RANGEL	C00302422	DAVID A. PATERSON	01/31/2017	Not Filed	\$18,441	0	12/09/2016	\$3,691	152	\$843
3177	VOGT FOR MARYLAND	DAVID E. VOGT III	C00577882	DAVID VOGT	12/13/2016	Not Filed	\$0	1	12/09/2016	\$1,446	152	NONE
3178	VOTE JERRY NATIVIDAD FOR U.S. SENATE	JERRY NATIVIDAD	C00612457	VERA ORTEGON	10/25/2016	10	\$15,019	1	12/08/2016	\$197	152	\$197
3179	WILDER FOR SENATE	SELLUS WILDER	C00608083	LAVON RACHELLE CHATTIN	01/04/2017	Not Filed	\$0	0	12/09/2016	\$1,157	152	NONE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fine Program - Final)
Determination Recommendation for the)
2016 October Quarterly Report (Non-)
Election Sensitive):)
CLAITOR FOR CONGRESS, and) AF# 3164
CHELSEA BONNECAZE as treasurer;)
COWAN FOR CONGRESS, INC., and) AF# 3165
GILLIS, LEIGH ANN as treasurer;)
ERIN FOR US, and TERAMOTO, JASON) AF# 3166
as treasurer;)
EUGENE FOR CONGRESS, and YU,) AF# 3167
ERIC MR. as treasurer;)
FATTAH FOR CONGRESS, and) AF# 3168
FATTAH, CHAKA MR as treasurer;)
FRIENDS OF CORRINE BROWN, and) AF# 3170
SIMMONS, GLORIA as treasurer;)
FRIENDS OF WARREN CHRISTOPHER,) AF# 3172
and SMITH, LETICIA CARROLL ESQ as)
treasurer;)
JAMES MALONEY FOR CONGRESS,) AF# 3173
and ERVIN, ILDI as treasurer;)
MARIA FOR AMERICA 2016, and) AF# 3174
TIMOTHY J LYNNG as treasurer;)
MIRZA FOR CONGRESS, and) AF# 3175
BARBERA, TARA MARIE as treasurer;)
RANGEL FOR CONGRESS, and) AF# 3176
PATERSON, DAVID A as treasurer;)
VOGT FOR MARYLAND, and VOGT,) AF# 3177
DAVID as treasurer;)
VOTE JERRY NATTIVIDAD FOR US) AF# 3178
SENATE, and VERA ORTEGON as)
treasurer;)
WILDER FOR SENATE, and LAVON) AF# 3179
RACHELLE CHATTIN as treasurer;)

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission, do hereby certify that on May 12, 2017 the Commission took the following actions on the Administrative Fine Program - Final Determination Recommendation for the 2016 October Quarterly Report (Non-Election Sensitive) as recommended in the Reports Analysis Division's Memorandum dated May 10, 2017, on the following committees:

AF#3164 Decided by a vote of 5-0 to: (1) make a final determination that CLAITOR FOR CONGRESS, and CHELSEA BONNECAZE in her official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3165 Decided by a vote of 5-0 to: (1) make a final determination that COWAN FOR CONGRESS, INC., and GILLIS, LEIGH ANN in her official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3166 Decided by a vote of 5-0 to: (1) make a final determination that ERIN FOR US, and TERAMOTO, JASON in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3167 Decided by a vote of 5-0 to: (1) make a final determination that EUGENE FOR CONGRESS, and YU, ERIC MR. in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3168 Decided by a vote of 5-0 to: (1) make a final determination that FATTAH FOR CONGRESS, and FATTAH, CHAKA MR in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2)

send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3170 Decided by a vote of 5-0 to: (1) make a final determination that FRIENDS OF CORRINE BROWN, and SIMMONS, GLORIA in her official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3172 Decided by a vote of 5-0 to: (1) make a final determination that FRIENDS OF WARREN CHRISTOPHER, and SMITH, LETICIA CARROLL ESQ in her official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3173 Decided by a vote of 5-0 to: (1) make a final determination that JAMES MALONEY FOR CONGRESS, and ERVIN, ILDI in her official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3174 Decided by a vote of 5-0 to: (1) make a final determination that MARIA FOR AMERICA 2016, and TIMOTHY J LYNG in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3175 Decided by a vote of 5-0 to: (1) make a final determination that MIRZA FOR CONGRESS, and BARBERA, TARA MARIE in her official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3176 Decided by a vote of 5-0 to: (1) make a final determination that RANGEL FOR CONGRESS, and PATERSON, DAVID A in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3177 Decided by a vote of 5-0 to: (1) make a final determination that VOGT FOR MARYLAND, and VOGT, DAVID in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.


AF#3178 Decided by a vote of 5-0 to: (1) make a final determination that VOTE JERRY NATIVIDAD FOR US SENATE, and VERA ORTEGON in her official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3179 Decided by a vote of 5-0 to: (1) make a final determination that WILDER FOR SENATE, and LAVON RACHELLE CHATTIN in her official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

May 15, 2017

Date



Dayna C. Brown

Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 16, 2017

Ildi Ervin, in official capacity as Treasurer
James Maloney for Congress
919 E. White Mountain Blvd.
Pinetop, AZ 85935

C00594150
AF#: 3173

Dear Ms. Ervin:

On December 9, 2016, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that James Maloney for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) for filing late or failing to file the 2016 October Quarterly Report. By letter dated December 9, 2016, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage to be \$1,157 in accordance with the schedule of penalties at 11 CFR § 111.43. Within forty (40) days of the FEC's RTB finding, you were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. Since that time, the amount of the level of activity has been changed to reflect the actual level of activity of the 2016 October Quarterly Report. The FEC made a final determination on May 12, 2017 that James Maloney for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assessed a civil money penalty in the amount of \$1,157 in accordance with 11 CFR § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Not Election Sensitive

Level of Activity: \$55,244

Number of Days Late: Not Filed (reports not filed within thirty (30) days of the due date are considered not filed for the purposes of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the U.S. District Court for the district in which the

committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109. 11 CFR § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, follow the payment instructions on page 4 of this letter. You should make payment within 30 days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your

check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 CFR §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Aimee Wechsler at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Steven T. Walther". The signature is fluid and cursive, with the first name "Steven" and last name "Walther" clearly distinguishable.

Steven T. Walther
Chair

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the civil money penalty is \$1,157 for the 2016 October Quarterly Report. The payment is due within 30 days of receipt of this letter.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: James Maloney for Congress

FEC ID#: C00594150

REPORT: 2016 October Quarterly

AF#: 3173

PAYMENT AMOUNT DUE: \$1,157

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 3173

1-2000-1-14-1-1